

Amendment No. 2 to HB2500

Hazlewood
Signature of Sponsor

AMEND Senate Bill No. 2466

House Bill No. 2500*

by deleting the amendatory language of SECTION 123 and substituting:

(b) The executive director is the chief administrative officer of the commission, exercising general supervision over all persons employed by the commission. The commission's staff is subject to personnel rules and policies that are applicable to state employees in general, including leave, compensation, classification, and travel rules and policies. The commission shall fix the salary of the executive director. The commission has the sole authority to appoint, terminate, and control the work of the executive director. The executive director has the exclusive authority to appoint, terminate, and control staff employees. The commission's employees are executive service and serve at the pleasure of the executive director.

AND FURTHER AMEND by deleting the amendatory language of SECTION 170 and substituting:

(h) Costs of the contested case proceeding and appeals, including the administrative law judge's costs, deposition costs, expert witness fees, and reasonable attorney's fees, must be assessed against the losing party in the contested case. If there is more than one (1) losing party, then the costs must be divided equally among the losing parties. Costs must not be assessed against the agency. Costs must not be assessed against a party if the agency's decision to approve that party's certificate of need application is being appealed in the contested case.

AND FURTHER AMEND by deleting SECTION 171 and substituting:

SECTION 171. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following as a new section:

Notwithstanding another law, the department of health shall make available to the executive director of the health facilities commission all internal audits that pertain to the board for licensing healthcare facilities, the office of health care facilities, or the support staff of those entities, including, but not limited to, complaint investigations, surveying, human resources, or the office of general counsel.

SECTION 172. This act takes effect July 1, 2022, the public welfare requiring it.